

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

May 12, 2011

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on May 5, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending May 11, 2011 in the amount of \$ 262,906.78 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Case; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of May 5 – May 11, 2011
- Report from the Building Inspector's Office from February 15 – May 10, 2011
- Statement from the City Clerk's Office of all monies received during the month of April 2011 in the total amount of \$17,170.44

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council in the amount of \$ 803,967.92 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL:**

**Anthony Graves** said I go to Plattsburgh State and I'm also part of Professor Mandeville's Political Science Class. I have a few issues that I wanted to address. I'm not here to throw stones; I'm not here to blame anyone. I'm just here to simply state the facts that I want to address, I'm a senior at Plattsburgh. I'm a broadcast journalist major right now but I'm also a NYS EMT and I've been volunteering here at the local shelter at the civic center. I was there on an evening one of the City Police Officers came in; I guess he was dealing with other stuff which I understand he was a little bit of frustrated coming in and I was wondering there was a spring fest that was going on, on campus and I said I wasn't there because I was here volunteering my time as an EMT over night and I said I go to Plattsburgh State and he said I'm sorry to hear that and I was appalled by that. I didn't say anything, I just brushed it off, but, if we as students are expected to carry a certain amount of reputation and reflection of our college then I believe it's the City of Plattsburgh's job as a Police Officer to the same expectation if not higher expectation to reflect the City of Plattsburgh Police Department and also the City of Plattsburgh as a whole. My next concern is, I went to Lyndon State College, I started off in meteorology and I have a little bit of background in forecasting and when I went to high school, I'm not here to boast or anything like that, the superintendent would email me before a big storm and he would ask me if I wanted to cancel school and if I said yes he would. My friends would be like tell him to cancel it and I said I can't if I lose credibility then I can no longer be respected, after school I was always involved in the meetings. My concern is Rouses Point flood stage is still 102.35 feet, major stage is considered 101.5 from the United States Geological Survey. It's not expected to go below record level even though there's some concerns to discuss Saturday, Saturday night, Sunday and early next week. There's a blocking high over Canada, a blocking high over Greenland and then there's a tropical pressure caught in between and there's a cut off flow with a front stalling as well. And the set up is, hopefully it doesn't happen but if it does, then usually cut off flows as far as the computer models are concerned usually cut off a little farther south then the models are forecasting. The over view is if this does happen there's what we call buff kit they print out this expected (QPF) Quantitative Precipitation Forecast and usually they over do it and usually cut it down by a third. And if you cut it down by a third by 12 Z Monday, Zulu time, its still well over 2 inches and I confirmed this with one of the meteorologists that taught me how to forecast. And so my concern is we do have vegetation working this is receding so as far as cutting of the erosion and stuff we do have vegetation. But there's still have a lot of snow to come down from Mt Mansfield there's still about 45 inches melted water that's at least 5 inches of water when it comes down in the form of

liquid. So I know working at the shelter first hand if this is to happen if there's 2 more inches of rain or more then that shelter is going to need to be evacuated. Because its already up to the back lawn of the shelter. As a part of the Red Cross we have a plan we can open a shelter in 2 hours. I was just wondering if you guys, just the planning of this if this does happen. All the models the Canadian, the American, the European model, the WRF, the Nam they are all coming in line. And when the do so everyone in the world would be wrong all the meteorologists, including myself and Roger Hill in Vermont who taught me. If that is to happen it is very concerning to the point where it's no longer funny. Like some people are like oh Lake Champlain it's a record from 1869, but, it's no longer funny because roads are still blocked off, there are homes that are affected, these people already don't have a home from Lakeside the fact is people really do need help so in closing its something to think about obviously you guys probably are its just that the National Weather Service and Burlington kind of down plays and they are kind of trying to weasel their way in to rain likely, rain likely, rain likely. I know I'm only 22 and you don't have to believe me as far as forecasting goes but I could be wrong but if it does happen then it's not going to be pretty.

**Mayor Kasprzak** said normally I don't comment we let people speak. First of all, thank you for volunteering. I know there are issues out there I go there daily I was out there before the meeting. We are very concerned. The weather forecast is such that I'm looking at it almost every hour, every two hours with some very good experience people in the area. Almost everything you said is something we've had a discussion on today, quite frankly. That doesn't make us all feel any better because these issues are unprecedented and the snow pack is one that nobody's talked about. Nobody's also really talked about where folks are going to be relocated after the Crete Center decision will be made, which I've already made one unofficially but I'm not sharing it because I've got to talk to some other folks involved here. But the bottom line is I am sensitive to it, I know everybody around the Council is, I know every department head is and I know that the Clinton County Department of Emergency Services is. I do appreciate the fact that you've come here today.

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**7. OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves Kevin Farrington City Engineer to advertise for bids for Contract # 2011-14, "Painted Pavement Markings."

By Councilor Tiffer; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves that the Council approve an adoption of policy on EDRLF loan subordination requests.

By Councilor Tiffer; Seconded by Councilor Calnon

Discussion:

**Councilor Calnon** said I wanted to make the point that even though the LDC hadn't made a recommendation yet we're going to approve the policy as drafted and ask them if they have any further comments we can always revisit. I think we need to have a policy in place and it's a good policy the way it is drafted.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves the request of Pircox Inc. to subordinate a City EDRLF loan to new bank financing on its property for the reasons and on the terms set forth in a report from John E. Clute Esq. prepared on behalf of the Lake City LDC, dated May 11, 2011.

By Councilor Tiffer; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. RESOLVED:** In accordance with the request therefore the Common Council approves Dave Powell Chief Plant Operator WPCP to advertise for sealed bids for Contract # 2011-12 "Instrumentation Services for WPCP." Bid Opening Date: June 2, 2011 at 11:00 am.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves that Contract # 2007-06 "Hauling of Sludge for WPCP" be extended for one year with Drummac Septic.

By Councilor Jackson; Seconded by Councilor Case

Discussion:

**Councilor Carpenter** said Jon is the same price as we had before.

**Environmental Manager Jon Ruff** said yes same price.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves that Contract # 2009-07 “Electrical Services for WPCP” be extended for one year with Grayco Electric.

By Councilor Case; Seconded by Councilor Jackson  
Discussion:

**Councilor Carpenter** said Jon is that another one that’s the same.

**Environmental Manager Jon Ruff** said that’s gone up because of the union wages.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**G. RESOLUTION:** SEQR Lead Agency determination for MacDonough Sewer Improvement Project.

1. Find the proposed action is a Type I action under SEQR.
2. Identify NYSDEC and the Army Corps of Engineers as the only involved agencies.
3. Find that there should be a coordinated review of the action and to elect to act as Lead Agency.
4. Authorize and direct the Environmental Manager to complete a SEQR Long Form EAF and make a recommendation to the Lead Agency concerning a Determination of Significance after completion of the coordinated review.

By Councilor Jackson; Seconded by Councilor Case  
Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**H. RESOLVED:** In accordance with the request therefore the Common Council approves an amendment to engineering services agreement with Barton and Loguidice for Akey Landfill and that the Mayor be authorized to sign all necessary paperwork.

By Councilor Jackson; Seconded by Councilor Case  
Discussion:

**Councilor Rabideau** said it is probably in our back up material but what the amount is of the change.

**Environmental Manager Jon Ruff** said \$35,728.07

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**I. RESOLVED:** SEQR Finding and Negative Declaration; Eco Dock at Wilcox Dock City of Plattsburgh.

1. The action is an unlisted action under SEQR for which an uncoordinated review will be conducted by the City of Plattsburgh Common Council.
2. The Common Council has received and reviewed:
  - a) The Saranac River Trail Feasibility Study
  - b) A Short Environmental Assessment Form (EAF) dated April 7, 2011.

Now therefore, it is Resolved:

- A. The Common Council makes the findings set forth in Part 2 of the EAF.
- B. The Common Council makes, and authorizes the Mayor to sign, the Negative Declaration for the proposed actions.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**J. RESOLVED:** SEQR Finding and Negative Declaration; Eco Dock at Dock Street City of Plattsburgh

1. The action is an unlisted action under SEQR for which an uncoordinated review will be conducted by the City of Plattsburgh Common Council.
2. The Common Council has received and reviewed:
  - a) The Saranac River Trail Feasibility Study
  - b) A Short Environmental Assessment Form (EAF) dated April 7, 2011.

Now therefore, it is Resolved:

- A. The Common Council makes the findings set forth in Part 2 of the EAF.
- B. The Common Council makes, and authorizes the Mayor to sign, the Negative Declaration for the proposed actions.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## 8. TRAVEL REQUEST:

**A. RESOLVED:** In accordance with the request therefore the Common Council approves Fire Chief Paul Williams to attend the New York State Career Chiefs Meeting in Albany, NY on May 17, 2011 at an estimated cost not to exceed \$350.

By Councilor Carpenter; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves one police officer to attend the “DCJS Homicide and Non Fatal shooting Training” in Buffalo, NY from May 25 – 26, 2011 at an estimated cost will not exceed \$564 and will be paid out of the Asset Forfeiture fund.

By Councilor Calnon; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves one police officer and a civilian employee to attend the “2011 Annual New York Statewide TraCs Lead Agency Users Meeting” in Syracuse, NY from June 1 – 2, 2011 at an estimated cost not to exceed \$212 and will be paid out of the Asset Forfeiture fund.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## 9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Reality Check and the Adirondack Tobacco Free Network to host a Press Event in Trinity Park on Tuesday, May 31, 2011 between 3:45 pm and 4:30 pm in honor of “World No Tobacco Day.”
2. THE MAYOR HANDS DOWN THE REAPPOINTMENT OF COMMISSIONER OF THE PLATTSBURGH HOUSING AUTHORITY BOARD TO CLAYTON MORRIS EFFECTIVE MAY 20, 2011 TO MAY 20, 2016.
3. Request from New York State Department of Transportation:

WHEREAS, the New York State Department of Transportation proposes to replace two structures, BIN 1034021 and BIN 1034022, over the Delaware and Hudson Railroad on Interstate 87 located in Clinton County. The project begins on Interstate 87 at a point approximately 200 m (656 ft) south of the structure and proceeds northerly, terminating on Interstate 87 at a point approximately 480 m (1575 ft) north of the structure.

WHEREAS, in conformance with Section 104 and Section 10, Subdivision 19 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following street as a detour during the period from the spring of 2012 to the fall of 2012: Boynton Avenue from the intersection of South Bound NYS Route 22 proceeding northeasterly approximately 215 m (705 ft) to the intersection of North Bound NYS Route 22. The New York State Department of Transportation also proposes to utilize the following street as a detour during the period from the spring of 2013 to the fall of 2013: Boynton Avenue from the intersection of North Bound NYS Route 22 proceeding northeasterly approximately 457 m (1500 ft) to the intersection of US Route 9.

WHEREAS, the New York State Department of Transportation will erect and maintain detour signs.

NOW, THEREFORE, BE IT RESOLVED: that the Common Council of the City of Plattsburgh does hereby authorize the New York State Department of Transportation to utilize the above mentioned street as a detour and maintain traffic on them in accordance with subsection 619 of its Standard Specifications during the period of necessity.

BE IT FURTHER RESOLVED: that the City of Plattsburgh will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control.

BE FURTHER RESOLVED: that the Clerk of the Common Council is hereby directed to transmit five (5) certified copies of this resolution to New York State Department of Transportation, 317 Washington Street, Watertown, NY 13601, Attn: Brian A Baxter, PE.

4. Request from the Office of Community Development that the Mayor be authorized to sign and submit said application along with all required certifications per the following:  
Authorizing submission of a fiscal year 2011 Community Development Block Grant office



for community renewal grant application.

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**10. NEW BUSINESS:**

**Councilor Jackson** said I just wanted to thank all the city employees it has been a trying 2 weeks. I had an eye appointment yesterday and the city employees were complimented extremely heavily by the doctor that I saw.

**Mayor Kasprzak** said we have a long way to go yet that's the thing we have to tell people when they approach us. The water is going to recede but there are issues and its not going to happen overnight. I'm not going to be negative about that just being realistic, but, we'll get through it.

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**11. CLOSING PUBLIC COMMENTS:**

**Anthony Graves** spoke again about the flooding issues and it takes a long time to recede.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**MEETING ADJOURNED: 5:55 pm**